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PATENT  
PC9873A113

1-10-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Imran Ahmed

: Examiner: E. Peselev

SERIAL NO.: 09/200,119

: Art Unit: 1623

FILED: November 25, 1997

FOR: Method Of Treating Eye  
Infections With Azithromycin

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this 12<sup>th</sup> day of November 2001

Sir:

By 

SUBMISSION UNDER RULE 114

A Notice of Appeal was mailed on May 16, 2001 by Applicant under the procedure of 37 CFR 1.8. Applicant's brief was accordingly due by July 16, 2001. By the Petition for four months extension of time and the authorization to charge extension fees included herewith, the term for filing a Brief has been extended to November 16, 2001. In lieu of filing a Brief, Applicant has included herewith a Request for Continued Examination under Rule 114, and also authorized the charging of the fee under Rule 17(e).

This submission accordingly responds to the Final Office Action dated November 17, 2000. The submission includes the arguments set forth herein plus Applicant's Declaration under Rule 131. In response to the Office Action dated November 17, 2000, please also make the following amendments to the application:

In the claims:

4. (Twice Amended) A composition for topical application directly to an eye of an animal,

said composition being suitable for the treatment of an ocular infection,  
said composition comprising an effective amount of azithromycin in a  
pharmaceutical vehicle suitable for topical application to the eye, and  
said composition being in the form of an ointment, gel or an ophthalmic  
solution in isotonic saline.